Notice shall be delivered to the address for the Lot Owner as shown by the most recent records for Manatee County Tax Collector or Property Appraiser. All notice shall either be personally delivered or sent by U.S. Mail. Notices sent by the US Mail to the address of record are deemed delivered, even if returned undelivered.

Should the Association, or its designee, be required to perform work upon a Lot, the cost thereof shall be a special assessment against the Lot Owner and the Lot. The Association or its designee, when working upon the Lot, shall not be responsible for any damages on account of the disposition of any accumulated materials so removed so long as the Association, or its designee, exercises good faith. Garbage containers, lawn trimmings, and trash stored for pick-up shall comply with collection service rules of the applicable governmental authorities and providers of such services.

7. UTILITIES. All utility service, including but not limited to, water, sewer, electrical, gas, telephone, and cable television, shall be located underground except for junction boxes, transformers, and similar devices serving a large portion of the Subdivision and which the utility requires to have above the ground. No overhead or above ground wires or cables shall be permitted upon any Lots within PARKWOOD LAKES except as may be expressly approved by the Association, or its designee. The Association reserves the right to use above-ground utility cables when necessary for continued development of the Subdivision.

8. FENCES. Fences are prohibited on those Lots located on a block which includes a lake as shown on the approved final site plan or a final plat of the Subdivision. Lots 46-54 and 57-85, inclusive, may have backyard fences, notwithstanding their location on a block which includes a lake. This restriction shall appear on all deeds related to those Lots located on a block which includes a lake, except for those specific exceptions named herein. All other Lots on other blocks within the Subdivision may have fences in accordance with the terms of the Declaration. All fences must be approved by the ARC and be uniform throughout the Subdivision. Only six-foot high, 4"x4" posts shall be permitted within the Subdivision. All fences shall be constructed of cypress wood or a composite material approved by the ARC. All fences shall be of uniform color as approved by the ARC. No fences will be allowed in front yard setback areas, including corner Lots containing two front yards. Owners shall maintain, repair and replace all fences located on the Owner's Lot, including without limitation promptly removing any visible mold or mildew, replacing broken or damaged fence slats or posts, and repainting the fence from time to time as necessary to keep it looking new and in excellent condition.

ISSUE #1

9. MISCELLANEOUS VISUAL RESTRICTIONS. No clotheslines or other exterior clothes apparatuses shall be permitted within PARKWOOD LAKES, nor shall any clothes, sheets, blankets, towels, or other articles be hung over fences or otherwise exposed to view. Garage doors shall be kept in a closed position when not in use for ingress and egress except that garage doors may be opened when the occupant is actually working within the garage. All garage doors shall be equipped with remote controlled garage door openers. All outdoor burning is prohibited except for an enclosed charcoal or gas barbecue grill. All garbage and trash containers, air conditioning equipment, irrigation pumps, or swimming pool pumps and related apparatuses must be located within an enclosed area and screened from view of a person

MARKUP #1 ->

MARKUP #1 · CONFLICTS WITH MANDATORY STATE STATUTE — BOARD & COUNSEL REVIEW

Sec. i (p. 9): Covenant prohibits clotheslines in direct violation of Fla. Stat. § 163.04.

Statutory / Legal Reference: Fla. Stat. § 163.04

Statutory Comparison: Florida Statute § 163.04 renders null, void, and unenforceable any deed restriction, covenant, or rule that prohibits or has the effect of prohibiting solar collectors, clotheslines, or other energy devices based on renewable resources.

CURRENT WORDING IN DOCUMENT:
MISCELLANEOUS VISUAL RESTRICTIONS. No clotheslines or other exterior clothes apparatuses shall be permitted within PARKWOOD LAKES, nor shall any clothes, sheets, blankets, towels, or other articles be hung over fences or otherwise exposed to view.

SAMPLE DISCUSSION WORDING (FOR HOA ATTORNEY REVIEW):
Pursuant to Fla. Stat. § 163.04, solar collectors and clotheslines shall not be prohibited, subject only to reasonable architectural guidelines regarding placement that do not impair performance.